



Docket No.: 2019-0240PUS1
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Ru-Shi LIU et al.

Application No.: 10/803,951

Confirmation No.: 7166

Filed: March 19, 2004

Art Unit: 2815

For: PHOSPHOR MATERIAL AND WHITE
LIGHT-EMITTING DEVICE USING THE
SAME

Examiner: E. Ortiz

TERMINAL DISCLAIMER TRANSMITTAL

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

November 3, 2005

Sir:

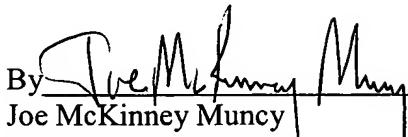
Attached hereto is an executed Terminal Disclaimer in connection with the above-identified application.

The appropriate fee of \$130.00 (large entity) is also attached hereto.

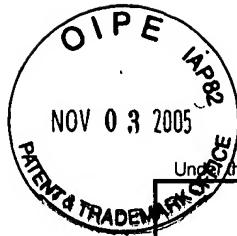
Please charge any fees or credit any overpayment pursuant to 37 C.F.R. § 1.20 to Deposit Account No. 02-2448.

Dated: November 3, 2005

Respectfully submitted,

By 
Joe McKinney Muncy
Registration No.: 32,334
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant

Attachment(s)



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PTO/SB/26 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031
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**TERMINAL DISCLAIMER TO OBViate A DOUBLE PATENTING
REJECTION OVER A "PRIOR" PATENT**

Docket Number (Optional)
2019-0240PUS1

In re Application of: Ru-Shi LIU et al.

Application No.: 10/803,951-Conf. #7166

Filed: March 19, 2004

For: **PHOSPHOR MATERIAL AND WHITE LIGHT-EMITTING DEVICE USING THE SAME**

The owner*, Lite-On Technology Corporation, of percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of prior patent No. 6,753,646 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later:

expires for failure to pay a maintenance fee;
is held unenforceable;
is found invalid by a court of competent jurisdiction;
is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
has all claims canceled by a reexamination certificate;
is reissued; or
is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. The undersigned is an attorney or agent of record. Reg. No. 32,334

Signature

November 3, 2005

Date

Joe McKinney Muncy
Typed or printed name

(703) 205-8000
Telephone Number

Terminal disclaimer fee under 37 CFR 1.20(d) is included.

*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

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